

**MINUTES  
FREMONT CITY COUNCIL MEETING  
JUNE 21, 2011  
FREMONT CITY HALL  
7:00 P.M.**

**1. PRELIMINARY**

**1.1 Call to Order:** Mayor Wasserman called the meeting to order.

**1.2 Flag Salute:** Councilmember Natarajan led the salute to the flag.

**1.3 Roll Call:** Present: Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra.

**1.4 Announcements by Mayor/City Manager** – None.

**2. CONSENT CALENDAR**

- \* **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Natarajan, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra
Noes:	None
Absent:	None
Abstain:	None

- \* **2.2 Approval of Minutes**

On a motion by Councilmember Natarajan, the City Council approved the minutes for the Regular Meeting and Work Sessions of January 12, 2010 and January 19, 2010, the Regular Meeting of January 11, 2011, the Special Meeting of January 17, 2011, for the Special Work Session and Joint Regular Meeting of January 18, 2011, the Regular Meetings of January 25, 2011, March 1, 2011, the Special and Regular Meetings of March 15, 2011, the Regular Meeting and Work Session of April 19, 2011 and the Special and Regular Meetings of April 26, 2011

Ayes:	Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra
Noes:	None
Absent:	None
Abstain:	None

\* **2.3 Mayor Wasserman opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Rezoning Property Located at 225-293 Driscoll Road from Single Family Residence District (R-1-10) to Planned District P-2010-280**

On a motion by Councilmember Natarajan, the City Council adopted Ordinance No. 04-2011.

Ayes: Mayor Wasserman, Vice Mayor Chan,  
Councilmembers: Natarajan and Harrison  
Noes: None  
Absent: None  
Abstain: Councilmember Dutra due to a conflict of interest

\* **2.4 Mayor Wasserman opened consideration of Second Reading and Adoption of an Ordinance of the City of Fremont Amending the Precise Plan for the Pacific Commons Planned District P-2000-214 Governing the Property Generally Located West of the Interstate I-880, South of Auto Mall Parkway, North of Curie Street and East of the Fremont Auto Mall**

On a motion by Councilmember Natarajan, the City Council adopted Ordinance No. 05-2011.

Ayes: Mayor Wasserman, Vice Mayor Chan,  
Councilmembers: Natarajan, Harrison and Dutra  
Noes: None  
Absent: None  
Abstain: None

\* **2.5 Mayor Wasserman opened consideration of Approval of Plans and Specifications and Award of Contract to the Lowest Responsible Bidder for the Cedar Street Sidewalk Improvement Project No. 8708 (PWC)**

On a motion by Councilmember Natarajan, the City Council:

1. Approved the plans and specifications for Cedar Street Sidewalk Improvement Project No. 8708 (PWC).
2. Accepted the bid and awarded the construction contract for the Cedar Street Sidewalk Improvement Project No. 8708 (PWC) to the lowest responsive and responsible bidder, JJR Construction, Inc., in the amount of \$149,454.00 and authorized the City Manager to execute the contract.

Ayes: Mayor Wasserman, Vice Mayor Chan,  
Councilmembers: Natarajan, Harrison and Dutra  
Noes: None  
Absent: None  
Abstain: None

### **3. CEREMONIAL ITEMS**

- 3.1 Presentation of the California Association of Local Economic Development (CALED) Award of Excellence—grand prize winner—to the City of Fremont acknowledging the innovative Local Business Stimulus Package** - Presentation was rescheduled to a future date.

### **4. PUBLIC COMMUNICATIONS**

#### **4.1 Oral and Written Communications**

Rena Dein and David Kiehn (Niles Essanay Silent Film Museum) announced information about upcoming film and events scheduled at the museum.

### **5. SCHEDULED ITEMS – None.**

### **6. REPORT FROM CITY ATTORNEY**

- 6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action** – None.

### **7. OTHER BUSINESS**

**7.1 Mayor Wasserman opened consideration of Authorization to Enter into a \$120 Million Agreement with BART to Design and Construct the Irvington BART Station**

On a motion by Councilmember Harrison, seconded by Vice Mayor Chan, the City Council adopted Resolution No. 2011-38:

1. Approving actions and making required statutory findings in connection with funding by the Redevelopment Agency of the City of Fremont and execution of a funding agreement with the Agency and BART for development of the Irvington BART Station to implement the redevelopment program for the Irvington Area portion of the Fremont Merged Project Area; and
2. Authorizing the City Manager or his designee to execute a Comprehensive Agreement with the San Francisco Bay Area Rapid Transit District for the design and construction of the Irvington BART Station as described herein.
3. Authorized the City Manager or his designee to approve amendments to the Comprehensive Agreement, if required, provided the amendments do not have a negative fiscal impact upon the City.

Ayes:	Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra
Noes:	None
Absent:	None
Abstain:	None

**7.2 Mayor Wasserman opened consideration of Introduction of an Ordinance Amending Title 2, Chapter 9 of the Fremont Municipal Code, “Purchasing Code”**

Finance Director Harriet Commons introduced staff involved in the Purchasing Ordinance revision, provided an overview of the staff report and outlined significant proposed changes to the ordinance. Staff responded to questions from Councilmembers. There were no public speakers.

On a motion by Councilmember Harrison, seconded by Vice Mayor Chan, the City Council waived reading of the full text of the ordinance, and introduced the amendment to the ordinance Title 2, Chapter 9 of the Fremont Municipal Code, “Purchasing Code,” as amended to not change the limits on the length of time regarding leases.

Ayes:	Mayor Wasserman, Vice Mayor Chan, Councilmembers: Natarajan, Harrison and Dutra
Noes:	None
Absent:	None
Abstain:	None

**8. COUNCIL COMMUNICATIONS**

**8.1 Council Referrals – None.**

**8.2 Oral Reports on Meetings and Events**

Councilmembers reported on their various meetings and activities.

**9. ADJOURNMENT:** There being no further business, Mayor Wasserman adjourned the meeting at 8:05 p.m.

Attest:

Approved:

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Dawn G. Abrahamson, City Clerk

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BOB WASSERMAN, Mayor